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it says this act shall be applicable to all pending cases or proceedings which are not reduced to final judgment. In other words, you cannot change...

SENATOR CAVANAUGH: Sure we can.

SENATOR KREMER: Once a case is in court, you cannot change it. Senator DeCamp tells me that. I don't know.

SENATOR CAVANAUGH: We can lessen the penalty. If a person has been convicted and sentenced to death and we repeal the death penalty, he doesn't go to death. Senator DeCamp, if you would just accomodate us to tell us what it is all about.

SENATOR DeCAMP: Senator Cavanaugh, I will accomodate you. In fact, I would ask that the bill be bracketed. We are right exactly where we were three months ago, two months ago. We had the Judiciary staff check it out with the Attorney General. I think we had better get the opinion they brought and we will have them explain it to you. There is an increase involved. I am not going into it now. I am going to get the information we got before.

SENATOR CAVANAUGH: There is only two pages here. One says a definition and Senator says.....

SENATOR DeCAMP: I ask unanimous consent to bracket the bill.

SENATOR CAVANAUGH: I will object. I don't see, there is no explanation of the problem here other than Senator DeCamp's pronouncement that it is unconstitutional and he won't explain why.

PRESIDENT WHELAN PRESIDING

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I don't want people to be confused by an attorney who offers a motion and then cannot explain it. Here is the way I think he should explain it to us. If he can show us in the statute where there is an offense called driving under the influence of alcoholic liquor which carries one penalty, then another offense described as having 10/100 of 1% or more by weight of alcohol in body fluids as an offense carrying a different penalty and that by putting the two of these provisions in the same section it raises the punishment, if he can't do that, then I don't think he has anything. There have been too many times in the Legislature, especially this session, when people would imperiously make a declaration this is unconstitutional. I have information that such and such is the case but they don't present the information. If the amendment is in violation of the Constitution and if Senator DeCamp has an Attorney General's opinion and he said all of this has been pending for